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**One Hundred Eighth Congress**  
**U.S. House of Representatives**  
**Select Committee on Homeland Security**  
**Washington, DC 20515**

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August 12, 2004

The Honorable Tom Ridge  
Secretary  
Department of Homeland Security  
Washington, D.C.

Dear Mr. Secretary:

Since the September 11, 2001 terrorist attacks, it has been the shared goal of the United States Congress and the Executive Branch to build an interoperable, biometric entry-exit border security system that links the databases of and allows for complete information sharing between each pillar of our border security and immigration control system: consular offices abroad, federal law enforcement, customs and border security agencies, and transportation agencies.

The 9/11 Commission Report has reaffirmed the critical importance of information sharing between these parts of the federal government and has emphasized in its recommendations the urgent need to develop an integrated border screening system. Plans to build such an integrated system were in place in late 2002/early 2003 that were consistent with congressional mandates and had been blessed by the White House and the key federal agencies – the Department of State, Department of Justice, and the FBI.

Yet, a comprehensive investigation by my staff has demonstrated that, in April, 2003, the Department of Homeland Security decided to reject these plans, and build a stand-alone system, called US-VISIT, which integrates very few of the dozens of key federal databases, and fails to provide the interoperability between agencies that is necessary to properly combat global terrorism. Most disturbingly, the 9/11 Commission has concluded that the US-VISIT is based on an “antiquated computer environment” and that “replacement of these systems and improved biometric systems will be required.” The Commission’s findings are supported by your own Fiscal Year 2005 Budget Justification, which states that the systems on which US-VISIT is based “are aging, do not easily

accommodate the latest technologies and are paper-based. They would require significant updating to accommodate the electronic transfer of information.”

I am writing to determine how, after the passage of three years since the September 11 attacks and the expenditure of approximately \$700 million, we have arrived at a point where we have begun to build an entry-exit system that is incapable of performing crucial counterterrorism functions, cannot share information between key agencies, and, according to the 9/11 Commission, will soon have to be replaced. I am also writing to insist that you provide Congress with a plan to achieve database integration and interoperability in US-VISIT forthwith and an estimate of the costs of such a project.

### **9/11 Commission Recommendations**

The 9/11 Commission placed great emphasis on interoperability and the sharing of information between government agencies in the fight to stop terrorist attacks against the United States. It noted that the greatest impediment to “connecting the dots” was the “systemic resistance to sharing information” (9/11 Commission, p. 416).

The Commission documented the many failed opportunities to identify and stop the 9/11 terrorists by U.S. immigration, customs and law enforcement personnel. They noted that in the months leading up to September 11<sup>th</sup>, the government officials adjudicating the entries of the hijackers did not have adequate information on them even though such information was already in various data bases maintained by a number of government agencies.

The Commission called targeting the travel of terrorists one of the most important tools in our government’s arsenal to stop terrorism. To enhance that capability, the Commission recommended that the Department of Homeland Security complete “as quickly as possible, a biometric entry-exit screening system”. In doing so, they repeatedly noted the importance of interoperability in creating such a system:

“The current patchwork of border screening systems, including several frequent traveler programs, should be consolidated in the USVISIT system to enable the development of an integrated system, which in turn can become part of the wider screening plan we suggest. (Commission, p. 388)

“All points in the border system – from consular offices to immigration services offices – will need appropriate access to an individual’s files. Scattered units at Homeland Security and the State department perform screening and data mining; instead a

government-wide team of border and transportation officials should be working together. (Commission, p. 388)

“A modern border and immigration system should combine a biometric entry-exit system with accessible files on visitors and immigrants, along with intelligence on indicators of terrorist travel.” (Commission, p. 389)

### **Congressional and Executive Branch Plans To Build an Interoperable Border Security System**

The need for integration and interoperability is not new. After the terrorist attacks of September 11, 2001, Congress and the Administration reached a consensus on the need to eliminate various obstacles to information sharing. In passing the USA Patriot Act six weeks after the 9/11 attacks, Congress urged rapid development of an “integrated entry and exit data system” and required the development of a biometric technology standard as the “basis for a cross-agency, cross-platform electronic system that is a cost-effective, efficient, fully integrated means to share law enforcement and intelligence information” for entry-exit screening.

In May, 2002, Congress expanded upon this theme in section 202 of the Enhanced Border Security and Visa Entry Reform Act of 2002, in which it mandated the creation of an “interoperable law enforcement and intelligence data system... to provide current and immediate access to information in databases of Federal law enforcement agencies and the intelligence community that is relevant to determine whether to issue a visa or to determine the admissibility or deportability of an alien (also known as the Chimera system)”. In July 2002, the Senate Commerce, Justice, State Appropriations Subcommittee appropriated \$83 million for the Chimera system, noting that “it will serve as the searchable, shareable repository of data bases migrated from existing (‘legacy’) INS systems that are incompatible with one another and with other law enforcement, State Department, and intelligence community systems.”

A strong consensus on the importance of creating an interoperable border security system had also developed in the Executive Branch. In January, 2003, the Bush Administration submitted a detailed plan to Congress that outlined the major investments that would need to be made in the INS, FBI, and State Department to build a fully interoperable system, including biometrics, which could meet the counterterrorism goals required after September 11. It further stated that unless a cross-agency, “end-to-end” concept of operations were developed “before major investments are made, the estimated cost and expected results of the investment will be at risk.”

Soon after the Department of Homeland Security was created, it appeared to be in accord with the White House plan as its budget justification for fiscal year

2004 (submitted in February 2003), noted the importance of these programs and stated that:

Atlas/Chimera is the infrastructure platform that will enable the DHS to meet requirements stipulated in the Border Security Act..... DHS will not be positioned to enhance its data sharing efforts throughout DHS (let alone with other Federal, State and Local law enforcement entities) through our Entry-Exit System initiative without funding for Atlas/Chimera to provide critical information technology infrastructure pieces as the foundation for these efforts. (Emphasis added).

In March, 2003, Undersecretary Asa Hutchinson reiterated your agency's commitment to proceeding with Chimera. At a hearing of the Senate Judiciary Committee, Undersecretary Hutchinson was asked if \$245 million appropriated for fiscal year 2003 would be "dedicated to the interoperable systems such as Chimera?" He responded, "The answer is yes. We're working very diligently to accomplish the goals of the interoperable system."

#### **Department of Homeland Security Changes Course and Builds a New Stand-Alone System: US-VISIT**

Despite these statements, it appears that sometime in April, 2003, your agency decided to change course. You announced the launch of a new entry-exit system known as US-VISIT. Deployment of the Atlas/Chimera projects was delayed.

The goal of US-VISIT, as stated in the official July 9, 2003 Statement of Work for the contract, is to "ensure that the visitors to the U.S. are indeed who they claim they are and no active warrants or criminal records exist in constantly updated criminal biometrics databases". In order to launch this system, records show US-VISIT merely upgraded a number of stove-pipe legacy INS systems, including a nine-year-old fingerprint system that operates on a fifteen-year-old network. For instance, contractor documents show that the first increment of US-VISIT was only intended to upgrade the INS's old two-print fingerprint database (known as "IDENT") and combine it with the existing data base and applications used to conduct biographical based searches of passenger manifest information and watch lists prior to passenger arrival at ports of entry (known as "IBIS" and "ADIS"). According to another contractor engineering document obtained by my staff, "US-VISIT increment 1 will be implemented through the changes and updates of existing systems. No new systems will be developed".

In short, US-VISIT was created by combining a couple of old border security systems and deploying them at our airports and seaports. The extensive cross-agency planning process the White House had deemed to be essential just

months earlier was apparently abandoned and virtually no effort was taken to build the type of comprehensive, interoperable biometric border screening system that is critical to our national security.

### **US-VISIT Is a Non-Interoperable System, Based on Antiquated Technology that Will Soon Have To Be Fully Re-engineered**

It appears that several worrisome consequences flowed from the decision to upgrade legacy INS systems instead of investing in the infrastructure and technology needed to bring full interoperability to the border security agencies. They include:

- Because US-VISIT relies upon the IDENT system, it uses a non-standard fingerprint format that is incompatible with the format used by virtually all other federal, state, local and foreign law enforcement agencies. This obstructs access to the US-VISIT data base by other law enforcement agencies. Similarly, it limits the effectiveness of US-VISIT's searches of other law enforcement data systems, including the largest – the Justice Department's Integrated Automated Fingerprint Identification System (IAFIS) which has more than 40 million fingerprints.
- US-VISIT's non-standard fingerprint format appears to be incompatible with the format used by most foreign law enforcement agencies that could provide fingerprints of suspected terrorists and sympathizers. This appears to reduce the likelihood that the biometric component of US-VISIT will provide a genuine counterterrorism benefit.
- The Department of Justice Inspector General noted that the deployment of US-VISIT slowed and disrupted the long-standing, multi-million dollar effort to integrate the INS data base (IDENT) with the Justice Department's main fingerprint system (IAFIS). The Inspector General noted that contractors who had been working on the integration process were shifted to working on US-VISIT thereby delaying the integration.
- The decision also seriously limited the amount of information that the Department of State could share with DHS immigration inspectors because the antiquated legacy INS equipment could not handle all of the information available from the Department of State's Consolidated Consular Database (CCD).
- In designing US-VISIT, the Department of Homeland Security failed to conduct a business process reengineering effort to ensure

that US-VISIT was coordinated with a number of major new systems currently being developed by other DHS agencies despite warnings in August, 2003 by the Department's own Inspector General. He warned that such an effort was "important because comparatively small reengineering now could result in major savings later, and ensure a greater probability of achieving maximum overall mission success".

- By focusing on upgrades to legacy INS systems, the Department delayed achieving the "virtual" interoperability with up to 50 major border security data bases identified by the Data Management Improvement Act Task Force (DMIA). Its 2003 report noted that the legacy INS infrastructure was "not sufficiently robust to sustain broad information technology deployment" of systems that the Task Force had identified as potentially useful in developing a robust border entry-exit system.
- The methodology chosen to compare fingerprints collected through US-VISIT to biometric watch lists of known or suspected criminals and terrorists apparently is not sustainable over the long term, and will require the replacement and reengineering of the system, at a cost of hundreds of millions of additional dollars to the taxpayer.

These facts lead me to the conclusion that the Administration has allowed three years to pass without making virtually any progress toward building the type of integrated, interoperable entry-exit system that the 9/11 Commission has determined is necessary to protect America from the threat of global terrorism. This striking failure establishes the need for far more vigorous congressional oversight of the US-VISIT project than has been performed to date. To inform the oversight process, I request that you provide the following information and documents:

1) Any and all documents of the Department of Homeland Security relating to the decision to abandon previous Administration plans to build a fully interoperable border security system (Atlas/Chimera) and instead build the US-VISIT system based on the antiquated, and consistently criticized legacy INS database and biometric systems. Such documents should include memorandums, studies, emails, correspondence and reports between Department of Homeland Security officials and between such officials and other agencies.

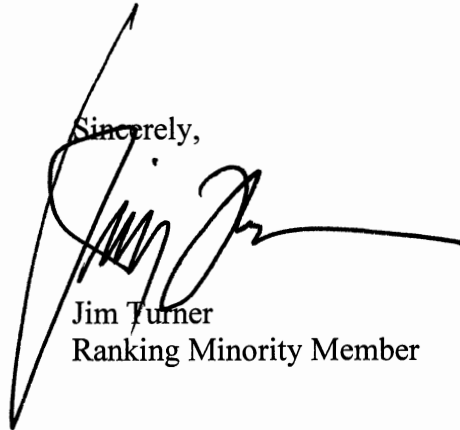
2) The Department of Homeland Security's current plan to achieve database integration and interoperability across all key border security and law enforcement systems, including fully interoperability with the FBI's entire IAFIS fingerprint database, full State Department visa applicant files, and the 50

databases listed in the 2003 DMIA Taskforce Report. The plan should contain specific benchmarks and projected dates by which such benchmarks should be achieved.

3) The Department of Homeland Security's current cost estimate for achieving the benchmarks set forth in paragraph 2.

Thank you for your cooperation in this matter. The point of contact in my office is John Sopko, Minority General Counsel and Chief of Investigations, who can be reached at 202-226-2616.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Turner", with a long horizontal flourish extending to the right.

Jim Turner  
Ranking Minority Member

cc: The Hon. Christopher Cox